

Article - State Government

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§6–307.

(a) In appearances before the Commissioner and courts on behalf of insurance consumers, the Division has the rights of counsel for a party to the proceeding, including the right to:

- (1) summon witnesses, present evidence, and present argument;
- (2) conduct cross-examination and submit rebuttal evidence; and
- (3) take depositions in or outside of the State:

(i) in proceedings before the Commissioner, subject to regulation by the Commissioner to prevent undue delay; and

(ii) in proceedings in court, in accordance with the procedure provided by law or rule of court.

(b) The Division may appear before any federal or State tribunal or agency, in a judicial or administrative action, to protect the interests of insurance consumers.

(c) (1) Except as otherwise provided in the Insurance Article and any applicable freedom of information act, the Division shall have full access to the Commissioner's records, including rate filings and supplementary rate information filed with the Commissioner by a medical professional liability insurer or homeowner's insurer under Title 11 of the Insurance Article, and shall have the benefit of all other facilities or information of the Commissioner.

(2) The Division is entitled to the assistance of the Commissioner's staff if:

(i) the staff determines that the assistance is consistent with the staff's responsibilities; and

(ii) the staff and the Division agree that the assistance, in a particular matter, is consistent with their respective interests.

(d) The Division may recommend to the General Assembly legislation on any matter that the Division considers would promote the interests of insurance consumers.

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